

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

SHANE GUAY,

Defendant.

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**19-CR-103-LJV-HKS**

**NOTICE OF MOTION**

**MOTION BY:**

Jeffrey T. Bagley, Assistant Federal Public Defender.

**DATE, TIME & PLACE:**

Before the Honorable John L. Sinatra, Jr., United States District Judge, Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York, **on the papers submitted.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender Jeffrey T. Bagley, dated October 27, 2020.

**RELIEF REQUESTED:**

A 30-day adjournment of Plea Hearing.

**DATED:**

Buffalo, New York, October 27, 2020.

Respectfully submitted,

**/s/Jeffrey T. Bagley**

Jeffrey T. Bagley  
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*Counsel for Defendant Shane Guay*

**TO:** Meghan A. Tokash  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

**19-CR-103-LJV-HKS**

v.

**AFFIRMATION**

SHANE GUAY,

Defendant.

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**JEFFREY T. BAGLEY**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, Shane Guay.

2. Mr. Guay is scheduled to enter a plea this afternoon, October 27, 2020, at 3:00PM before Your Honor.

3. Mr. Guay is currently the main caretaker for his partner, Angel Lycett, who has stage III Non-Hodgkin's Lymphoma.

4. In the event that Mr. Guay is detained after entering the plea, there will not be anyone to fill his caretaker role.

5. We request a short adjournment of thirty days so that preparations can be made for Ms. Lycett's care and for Mr. Guay to give further consideration to the plea.

6. Mr. Guay and the government agree that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. Namely, failure to grant an adjournment would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. We therefore request that

the adjournment be granted and that the time be excluded under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(A).

**WHEREFORE**, it is respectfully requested that the Court grant Mr. Guay's motion for a 30-day adjournment of the Plea Hearing.

**DATED:** Buffalo, New York, October 27, 2020.

Respectfully submitted,

**/s/Jeffrey T. Bagley**

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**TO:** Meghan A. Tokash  
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